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Message Text

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ACTION DLOS-06

INFO OCT-01 AF-08 IO-13 ISO-00 ACDA-07 AGRE-00 AID-05
CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00
DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00
H-01 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01
OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06
SAL-01 OIC-02 /118 W
----------141456Z 042895 /65
R 141021Z JAN 77
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC 8644
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 1 OF 2 LAGOS 0414

E.O. 11652: GDS
TAGS: PLOS, NI
SUBJECT: STRATEGY FOR INTERSESSIONAL CONSULTATIONS ON LOS

REF: 76 STATE 298001

1. EMBASSY WELCOMES OPPORTUNITY TO EXCHANGE VIEWS AND CONTRIBUTE TO LOS STRATEGY PLANNING PRIOR MAY 1977 SIXTH SESSION CURRENT LOS CONFERENCE. AGREE THAT IT IS PROBABLE NIGERIA WILL PLAY INFLUENTIAL ROLE, PARTICULARLY IN FORMULATION OF CAU POSITIONS.

2. BROAD OUTLINES OF NIGERIAN LOS POLICY SET BY RULING SUPREME MILITARY COUNCIL (SMC) AND FEDERAL EXECUTIVE COUNCIL (FEC), OR CABINET. SOURCES OF MAJOR INPUTS INTO DECISION-MAKING PROCESS ARE (A) MINISTRY EXTERNAL AFFAIRS (MEA), WHICH COORDINATES LOS POLICY FOR FMG; (B) MINISTRY OF DEFENSE; (C) FISHERIES DEPARTMENT OF MINISTRY OF AGRICULTURE; AND (D) MINISTRY OF JUSTICE. MINISTRY OF PETROLEUM AND ENERGY PRESUMABLY TAKES PART IN POLICY FORMULATION AT SMC AND FEC LEVEL. NON-GOVERNMENT REPRESENTATIVES OFFISHING AND
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PETROLEUM INDUSTRIES CONTRIBUTE VIEWS AND ADVICE TO GOVERNMENT AS DO MEMBERS OF LEGAL AND ACADEMIC PROFESSIONS.

3. AMONG MORE IMPORTANT PERSONALITIES INVOLVED IN POLICY FORMULATION ARE FOLLOWING:
(A) MEA-DIRECTOR INTERNATIONAL ORGANIZATION DEPARTMENT, AMBASSADOR H. B. MUSA AND HIS DEPUTY, I.P.J. OBEBE.

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(B) MINISTRY OF DEFENSE - CHIEFS OF STAFF OF THREE SERVICES, PARTICULARLY NAVY. CONTACT POINT IN MINISTRY HAS BEEN COMMANDER M.A.B. ELEGBEDE.

(C) FISHERIES: MR. J.DM TOBOR, DIRECTOR OF FISHERIES.

(D) LEGAL: ATTORNEY GENERAL AND COMMISSIONER FOR JUSTICE DR. AUGUSTINE NNAMANI AND THE MINISTRY'S PERMANENT SECRETARY AND SOLICITOR GENERAL, J.D. OGUNDERE.

(E) OTHERS: DR. BOLAJI AKINYEMI, DIRECTOR NIGERIAN INSTITUTE FOR INTERNATIONAL AFFAIRS, WHO ARRANGED LIVELY TWO-DAY SEMINAR ON LOS LAST NOVEMBER (76 LAGOS 12873).

4. DURING COURSE OF LAST YEAR, NIGERIAN LOS TEAM LOST TWO STRONG AND COMPETENT MEMBERS. OLU ADENIJI, NOW AMBASSADOR TO AUSTRIA, WAS PERHAPS MEA'S LEADING EXPERT. HIS SUCCESSOR AT MEA, AMBASSADOR MUSA, IS LESS WELL INFORMED AND A LESS FORCEFUL INDIVIDUAL. JUSTICE DAN IBEKWE, WHO HEADED NIGERIAN DELEGATION TO LAST LOS SESSION, HAS BEEN SUCCEEDED AS ATTORNEY GENERAL AND COMMISSIONER OF JUSTICE BY DR. AUGUSTINE NNAMANI (76 LAGOS 13472). SOLICITOR GENERAL OGUNDERE RECENTLY TOLD POLCOUNS THAT IT WILL TAKE "SOME TIME" TO READ NNAMANI INTO LOS MATTERS BUT SAID THE NEW COMMISSIONER WOULD HAVE A ROLE TO PLAY.

5. THEMES RUNNING THROUGH NIGERIAN LOS POLICY INCLUDE ADVOCACY OF MORE RATHER THAN LESS COASTAL STATE CONTROL OVER ALL ACTIVITY IN TERRITORIAL SEA AND EXCLUSIVE ECONOMIC ZONE, INCLUDING SCIENTIFIC RESEARCH; PROTECTION OF NATURAL RESOURCES (FISH AND PETROLEUM); NATIONAL SECURITY CONSIDERATIONS; AND A STRONG VOICE FOR THE DEVELOPING WORLD IN THE CONFIDENTIAL

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EXPLOITATION OF THE DEEP SEABED AND IN THE PROPOSED SEABED AUTHORITY. NIGERIAN NATIONALISTIC PRESS, OFTEN CALLING FOR FMG TO TAKE ACTION TO PROTECT COUNTRY'S RESOURCES FROM FOREIGN EXPLITATION, ALSO MUST HAVE SOME IMPACT ON DECISION MAKERS. ON BILATERAL LEVEL, ARGUMENTS OVER FISHING RIGHT HAVE LED TO SPORADIC DIFFICULTIES ALONG CROSS RIVER ESTUARY PORTION OF NIGERIAN CAMEROONIAN BORDER (76 LAGOS 12873).

6. NIGERIA HAS NOT, HOWEVER, BEEN AMONG THE RADICALS OF THE THIRD WORLD ON LOS. FMG HAS APPEARED TO TAKE A VERY PRAGMATIC LINE DESIGNED FIRST TO BENEFIT NIGERIA AND SECOND TO AID AFRICA AND THE DEVELOPING WORLD. IN THE PROCESS, MEA AND MINISTRY JUSTICE OFFICIALS HAVE BEEN ABLE TO DEVISE COMPROMISES WITHIN FMG WHICH HAVE KEPT NIGERIA FROM ADOPTING EXTREMIST POSITIONS. ALTHOUGHT NIGERIA WILL BE OPPOSED TO OUR STAND ON SOME ISSUES (E.G. EXTENT OF COASTAL STATE CONTROL OVER SCIENTIFIC RESEARCH OR NATURE OF THE REGIME FOR DEVELOPING THE DEEP SEABED), FMG'S GENER-

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ALLY PRAGMATIC ATTITUDE SHOULD MAKE IT POSSIBLE
FOR US TO MAINTAIN A USEFUL DIALOGUE WITH NIGERIANS, AND TO
WORK WITH NIGERIAN DELEGATION IN SEEKING COMPROMISES WHICH
WOULD ENABLE CONFERENCE COMPLETE A DRAFT TREATY. FOR
EXAMPLE, AT LAST LOS SESSION NIGERIANS FLOATED JOINT
VENTURE PROPOSAL TO END DEADLOCK ON PROBLEM OF EXPLOITATION
OF DEEP SEABED (76 STATE 232582 AND 76 LAGOS 11432).

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INFO OCT-01 AF-08 IO-13 ISO-00 ACDA-07 AGRE-00 AID-05
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7. BEST WAY OF REACHING FMG DECISIONMAKERS IS THROUGH
CONTINUING DIALOGUE. THIS EXCHANGE NEED NOT TAKE PLACE
SOLELY IN LAGOS OUT SHOULD ALSO INCLUDE REGULAR CONTACT
AND INFORMATION EXCHANGES AT UN IN NEW YORK AND WASHINGTON.
IN THE PROCESS, WE SHOULD BE CAREFUL TO MAKE CERTAIN THAT
FMG PERCEIVES THAT WE TAKE THEIR VIEWS AND SUGGESTIONS
SERIOUSLY. IT WOULD BE HELPFUL, FOR EXAMPLE, IF WE WERE
ABLE TO PROVIDE FMG OFFICIALS A PRELIMINARY RECTION TO
THEIR JOINT VENTURE PROPOSAL.

8. NIGERIAN UN DELEGATION AND ITS EXPERTS AT LOS SESSIONS
ARE GIVEN CONSIDERABLE FLEXIBILITY WITHIN BROAD POLICY
GUIDELINES. IT IS THEREFORE INCUMBENT ON US TO ESTABLISH
AND MAINTAIN CONTACT AT ALL LEVELS ON REGULAR BASIS IF
WE HOPE TO HAVE KIND OF RELATIONSHIP WHICH WILL PROVE HELP-
FUL DURING THE GIVE AND TAKE OF MAY MEETING. IF IT IS
DECIDED SEND OUT A TEAM TO HOLD CONSULTATIONS WITH FMG
PRIOR LOS SESSION, WE ARE REASONABLY CERTAIN NIGERIANS
WOULD RECEIVE DELEGATION FOR SUBSTANTIVE EXCHANGE.

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NIGERIANS WOULDPROBABLY EXPECT TALKS TO ENCOMPASS SOME
CONCRETE PROPOSALS ON OUTSTANDING CONTROVERSIAL ISSUES
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IN ADDITION TO RESTATEMENT OF WELL-KNOWN POSITIONS. WHILE
LATTER IS NECESSARY, IT CAN BE DONE BY EMBASSY, DEPARTMENT
OR USUN IN COURSE OF OUR REGULAR CONSULTATIONS.
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Disposition Approved on Date:
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